

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

BAYMONT FRANCHISE SYSTEMS, INC., a  
Delaware Corporation,

*Plaintiff,*

v.

ARUSHI ENTERPRISE CORP, a Missouri  
Corporation; and LAXMAN PATEL, an  
individual,

*Defendants.*

Civil No.: 24-cv-00298 (KSH) (AME)

**ORDER GRANTING MOTION FOR  
FINAL JUDGMENT BY DEFAULT  
AND  
ENTERING FINAL JUDGMENT BY  
DEFAULT**

This matter having been opened to the Court by plaintiff Baymont Franchise Systems, Inc. (“Baymont”), seeking the entry of final judgment by default against entity defendant Arushi Enterprise Corp (“Arushi”), and individual defendant Laxman Patel (“Patel,” and with Arushi, “defendants”) pursuant to Fed. R. Civ. P. 55(b)(2); and the complaint in this matter having been filed on January 18, 2024, seeking damages as a result of the breach of a franchise agreement between Arushi and Baymont, a guaranty between Patel and Baymont, and a note between defendants and Baymont; and service of the summons and complaint having been effectuated with respect to each of the defendants; and default having been entered by the Clerk of the Court on March 13, 2024 against defendants for their failure to plead or otherwise defend in this action; and the Court having reviewed the papers; and for the reasons set forth in the opinion filed herewith,

**IT IS** on this 7th day of October, 2024,

**ORDERED** that Baymont’s motion for final judgment by default (D.E. 12) is GRANTED; and it is further

**ORDERED, ADJUDGED, AND DECREED** that Baymont have judgment against defendants, jointly and severally, in the total amount of \$397,618.93, comprised of the following:

- a) \$243,409.45 for Liquidated Damages (principal plus prejudgment interest);
- b) \$77,972.27 for outstanding Recurring Fees (principal plus prejudgment interest); and
- c) \$76,237.21 for the amount due and owing under the Development Incentive Note (principal plus prejudgment interest).

/s/ Katharine S. Hayden  
Katharine S. Hayden, U.S.D.J.